

New Report

50th Legislature - 1st Regular Session, 2011

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LPC January 26

added after 1/21 lpc agenda

Posted Calendars and Committee Hearings

S1200 : IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS

Hearing: Senate Public Safety & Human Services (Wednesday
01/26/11 at 9:00 AM, Senate Rm. 3)

Bill Summaries

H2238: CHILD ABUSE DEFINITION; EXHAUSTION; TORTURE

The definition of child abuse is expanded to include physical exhaustion or torture of a child.

First sponsor: Rep. Goodale

H2238 Daily History

Date Action

CHILD ABUSE DEFINITION; EXHAUSTION; TORTURE 1/24 referred to House jud.

H2362: DRUG LAB REMEDIATION; INVESTIGATORS

Responsibility to regulate drug laboratory site remediation firms is transferred to the Board of Technical Registration's newly established criminal investigations unit, from the Registrar of Contractors. Municipalities may apply to the Technical Registration Fund for remediation monies for property where drug labs were found. Increases civil and criminal penalties for violations of the requirement to post a notice of removal of a drug lab at the property. Establishes additional penalties for entering the property, removing items, or removing a mobile home or R.V. from a site without approval from the Board.

First sponsor: Rep. Jerry Weiers
Others: Rep. Smith, Rep. Stevens

H2362 Daily History

Date Action

No actions posted for this bill within the requested time frame.

H2363: FINANCIAL INSTITUTION RECORDS; DISCLOSURE; NOTICE

Financial institutions are prohibited from disclosing financial records to government authorities unless the customer gives written consent, a subpoena has been served, or the government authority has a search warrant for the specific record.

First sponsor: Rep. Smith

Others: Rep. Ash, Rep. Barton, Rep. Burges, Rep. Crandell, Rep. Dial, Rep. Gowan, Rep. Harper, Rep. Montenegro, Rep. Seel, Rep. Stevens, Rep. Ugenti, Rep. Vogt, Rep. Yee

H2363 Daily History	Date	Action
FINANCIAL INSTITUTION RECORDS; DISCLOSURE; NOTICE 1/20 referred to House jud.		

H2380: PRISONERS; MEDICAL PAROLE

Authorizes the Board of Executive Clemency to release a prisoner on medical parole under specified circumstances, including an incapacitating physical condition or disease, with review and acceptance by the Dept of Corrections. Does not apply to prisoners sentenced to death or natural life.

First sponsor: Rep. Ash

Others: Rep. Harper, Rep. R. Miranda, Rep. C. Miranda, Rep. Pancrazi, Rep. Patterson, Rep. Smith, Sen. L. Gray

H2380 Daily History	Date	Action
PRISONERS; MEDICAL PAROLE 1/24 referred to House jud.		

H2396: GAME & FISH; TROPHIES; ENFORCEMENT

Modifies the definition of "trophy" to specify minimum sizes for antlers of various game before the game is considered a trophy. It is a class 6 (lowest) felony to knowingly unlawfully take or possess a trophy animal or endangered wildlife.

First sponsor: Rep. Jones

H2396 Daily History	Date	Action
GAME & FISH; TROPHIES; ENFORCEMENT 1/19 referred to House energy-nat res, jud.		

H2426: COMMUNICATION DEVICES; CLASS G LICENSEES

Class G driver license holders (drivers under the age of 18) are prohibited from operating a motor vehicle while using a wireless communication device. Some exceptions.

First sponsor: Rep. Farley

Others: Rep. Arredondo, Rep. Chabin, Rep. Proud, Rep. Tovar, Rep. Wheeler

H2426 Daily History	Date	Action
COMMUNICATION DEVICES; CLASS G LICENSEES 1/24 referred to House trans, mil-pub.		

HCR2020: JUDICIAL APPOINTMENTS; SENATE CONFIRMATION

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to change the way judges are chosen. Instead of a commission submitting a list of recommendations from which the governor must choose, the governor may appoint anyone. The appointment is subject to Senate confirmation.

First sponsor: Rep. Harper
Others: Rep. Burges

HCR2020 Daily History	Date	Action
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No actions posted for this bill within the requested time frame.

HCR2025: EXECUTIVE CLEMENCY BOARD; COMMUTATION

The 2012 general election ballot is to carry the question of whether to amend the state Constitution and statutes to remove from the governor the power to commute sentences of those who committed felony offenses. Commutation may be granted directly by the Board of Executive Clemency. Effective for those who committed a felony after Jan 1, 1994.

First sponsor: Rep. Ash
Others: Rep. Barton, Rep. Brophy McGee, Rep. Chabin, Rep. Judd, Rep. Meyer, Rep. R. Miranda, Rep. C. Miranda, Rep. Patterson, Rep. Smith, Sen. Gould

HCR2025 Daily History	Date	Action
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No actions posted for this bill within the requested time frame.

HCR2026: JUDGES; MERIT SELECTION; POPULATION

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to change the county population threshold that determines which counties use merit selection for superior court judges and which use direct election by the people. This amendment changes the threshold to 500,000 from 250,000. [Capitol Reports note: Counties with fewer than 500,000 will elect judges directly to four-year terms. In counties whose population exceeds 500,000, judges are appointed by the governor from a list submitted by the Commission on Trial Court Appointments; these judges must stand for retention every four years.]

First sponsor: Rep. Williams
Others: Rep. Stevens

HCR2026 Daily History	Date	Action
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No actions posted for this bill within the requested time frame.

S1115: JLBC; JCCR; REPORTS

Eliminates requirements for various state agencies, commissions and districts to submit various reports to the Joint Legislative Budget Committee or to obtain JLBC approval for certain expenditures. Also modifies deadlines for various agencies and commissions to submit information to JLBC, and makes various reports to JLBC due annually instead of quarterly or semiannually. The Joint Committee on Capital Review no longer approves rental rates for agencies occupying state owned buildings.

First sponsor: Sen. Biggs

General Comments (all lists):

Per ACJC: changes the rico reporting to annually;FYI only; no position

S1115 Daily History Date Action

JLBC; JCCR; REPORTS 1/13 referred to Senate appro.

S1200: IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS

The Dept of Transportation is required to reduce the time period that a person convicted of a DUI must use an ignition interlock device to 6 months if the person is a first time offender, voluntarily completes an alcohol or other drug education or treatment program provided by a facility approved by the Dept of Health Services, and has maintained a functioning ignition interlock device for 6 consecutive months.

First sponsor: Sen. L. Gray

Others: Sen. Biggs, Sen. Gould, Sen. Pierce

S1200 Daily History

Date Action

IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS 1/24 referred to Senate pub-hu ser.

S1201: FIREARMS OMNIBUS

The state and state agencies are prohibited from enacting any ordinance, rule or tax relating to the transportation, possession, sale, gift, storage, registration or use of firearms or ammunition. It is no longer misconduct involving weapons to carry a deadly weapon in a public establishment or at a public event after a request from the operator to remove the weapon for temporary and secure storage. The state, state agencies, and political subdivisions may limit or prohibit firearms in a public establishment or at a public event that is issued a liquor license at times when alcoholic beverages are available for consumption on the premises, with some exceptions. The limit or prohibition must be done with specified signs and meet other requirements. An employee or official acting on behalf of the state, agency, or political subdivision who knowingly violates this statute is guilty of a class 5 felony, and no public monies may be spent defending a person who is charged with a violation.

First sponsor: Sen. Gould

Others: Rep. Barton, Rep. Burges, Rep. Crandell, Rep. Gowan, Rep. Harper, Rep. Judd, Rep. Mesnard, Rep. Seel, Rep. Smith, Rep. Stevens, Sen. Murphy, Sen. Nelson, Sen. Pearce

S1201 Daily
History

Date Action

FIREARMS OMNIBUS 1/24 referred to Senate jud.

S1202: DANGEROUS DRUGS; DEFINITION; SYNTHETIC

Makes various changes in the list of "dangerous drugs," apparently to include synthetics (officially defined as optical, positional or geometric isomers). Emergency clause.

First sponsor: Sen. L. Gray

Others: Rep. Brophy McGee, Rep. Burges, Rep. Crandell, Rep. Lesko, Rep. Meyer, Rep. R. Miranda, Rep. C. Miranda, Rep. Smith, Rep. Jim Weiers, Rep. Yee, Sen. Aboud, Sen. Allen, Sen. Barto, Sen. Klein, Sen. Murphy, Sen. Sinema, Sen. Yarbrough

S1202 Daily History

Date Action

DANGEROUS DRUGS; DEFINITION; SYNTHETIC 1/24 referred to Senate jud.

S1225: FORGERY; HUMAN SMUGGLING; CLASSIFICATION

The criminal classification of forgery (otherwise a class 4 felony) for the purpose of renting or purchasing a dwelling used as a "drop house" (defined elsewhere in statute) is increased to a class 3 felony.

First sponsor: Sen. Sinema

Others: Sen. Allen, Sen. Antenori, Sen. Barto, Sen. Biggs, Sen. Bundgaard, Sen. Crandall, Sen. Driggs, Sen. Gould, Sen. L. Gray, Sen. Reagan

S1225 Daily History

Date Action

FORGERY; HUMAN SMUGGLING; CLASSIFICATION 1/25 referred to Senate borfer-fed-sov.

S1233: PEACE OFFICERS; AT-WILL EMPLOYMENT

The statutory provision that a peace officer may not be subjected to disciplinary action except for just cause does not apply to law enforcement officers who are employed at-will (defined) in an executive or managerial position.

First sponsor: Sen. L. Gray

S1233 Daily History

Date Action

PEACE OFFICERS; AT-WILL EMPLOYMENT 1/25 referred to Senate pub-hu ser.

S1234: TOWED VEHICLE DATABASE; STATEWIDE

The Dept of Transportation (ADOT) shall establish and maintain a statewide towed vehicle information database. Required information shall be forwarded by each law enforcement agency within 24 hours of either immobilizing or impounding a vehicle. The administrative fee levied to release an impounded or immobilized vehicle is increased to \$155 from \$150 with the \$5 increase being dedicated to ADOT to maintain the database.

First sponsor: Sen. L. Gray

S1234 Daily History

Date Action

TOWED VEHICLE DATABASE; STATEWIDE 1/25 referred to Senate nat res-trans.

S1235: LAW ENFORCEMENT OFFICERS; DISCIPLINARY PROCEDURES

At the request of a law enforcement officer facing a disciplinary action, the employing agency must provide a list and summary of disciplinary action ordered against other officers employed by the same agency who were accused of the same or similar violation within the previous two years. If the employer is a county of fewer than 250,000 or a city of fewer than 65,000, and a change in hearing officer is requested, and the alternate hearing officer is available only through an intergovernmental agreement with another jurisdiction, the costs of procuring the alternate hearing officer shall be shared equally between the employer and the officer.

First sponsor: Sen. L. Gray
Others: Sen. Aboud

General Comments (all lists):

this is the FOP bill which has come a long way from the original according to John Thomas. See also 1057

S1235 Daily History

Date Action

LAW ENFORCEMENT OFFICERS; DISCIPLINARY PROCEDURES 1/25 referred to Senate pub-hu ser.

S1243: BAD CHECKS; COUNTY ATTORNEY FEES

Summary to come

First sponsor: Sen. Gould

S1243 Daily History

Date Action

BAD CHECKS; COUNTY ATTORNEY FEES 1/25 referred to Senate jud.

S1244: PARENTS' RIGHTS; LAW ENFORCEMENT INVESTIGATION

Summary to come

First sponsor: Sen. Gould

S1244 Daily History

Date Action

PARENTS' RIGHTS; LAW ENFORCEMENT INVESTIGATION 1/25 referred to Senate jud.

S1245: CAPITAL POSTCONVICTION PUBLIC DEFENDER; CONTINUATION

Summary to come

First sponsor: Sen. Gould

S1245 Daily History

Date Action

CAPITAL POSTCONVICTION PUBLIC DEFENDER; CONTINUATION 1/25 referred to Senate jud.

S1247: SEXUALLY VIOLENT PERSONS; HEARINGS

Summary to come

First sponsor: Sen. Barto

Others: Rep. Proud, Rep. Vogt, Sen. Aboud, Sen. Cajero Bedford, Sen. L. Gray, Sen. Lopez, Sen. Melvin

S1247 Daily History	Date	Action
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No actions posted for this bill within the requested time frame.

S1251: BAD CHECKS; PAYMENT; TIME FRAME

Summary to come

First sponsor: Sen. Barto

S1251 Daily History	Date	Action
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No actions posted for this bill within the requested time frame.

SCR1010: JUDICIAL DECISIONS; INTERNATIONAL LAW

The 2012 general election ballot shall carry the question of whether to amend Article VI, Section 1, of the Arizona Constitution to state that in making judicial decisions, Arizona courts must not look to legal precepts of other nations or cultures and must not consider international law.

First sponsor: Sen. L. Gray

Others: Rep. Burges, Rep. Jim Weiers, Sen. Allen, Sen. Antenori, Sen. Barto, Sen. Biggs, Sen. Bundgaard, Sen. Crandall, Sen. Gould, Sen. Griffin, Sen. Klein, Sen. Melvin, Sen. Murphy, Sen. Nelson, Sen. Pearce, Sen. Pierce, Sen. Reagan, Sen. Shooter, Sen. Smith, Sen. Yarbrough

SCR1010 Daily History	Date	Action
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JUDICIAL DECISIONS; INTERNATIONAL LAW 1/11 referred to Senate jud.

For LPC to reconsider new language

Posted Calendars and Committee Hearings

S1080 : CUSTODIAL INTERFERENCE; CLASSIFICATION

Calendar: 1/25 Senate Caucus

Calendar: 1/26 Senate Consent

Bill Summaries

S1057: LAW ENFORCEMENT OFFICERS; DISCIPLINARY ACTION

A law enforcement officer who was subject to disciplinary action without just cause being established may recover all costs, including attorney fees associated with proceedings held to establish the officer's innocence. Punitive damages may be awarded by a court if it determines, by a preponderance of evidence, that the allegations were knowingly and intentionally filed without cause.

First sponsor: Sen. L. Gray

General Comments (all lists):

Ascertain AACO and League of C & T positions; oppose with punitive damages;

per John Thomas on 1/19 punitives to be removed. traditional partner, if asked may support LE on their position

Per Rob Dalager, not a Phx PD bill

S1057 Daily History

Date Action

LAW ENFORCEMENT OFFICERS; DISCIPLINARY ACTION 1/10 referred to Senate jud.

S1080: CUSTODIAL INTERFERENCE; CLASSIFICATION

The law defining the crime of custodial interference is clarified to state that the class 1 (lowest) misdemeanor classification applies only if the child (or incompetent adult) is returned by the parent or defendant, or the agent or either, before an arrest warrant is issued.

First sponsor: Sen. L. Gray

Others: Sen. Allen, Sen. Shooter

S1080 Daily History

Date Action

CUSTODIAL INTERFERENCE; CLASSIFICATION 1/24 to Senate consent calendar.

CUSTODIAL INTERFERENCE; CLASSIFICATION 1/19 from Senate pub-hu ser do pass.

CUSTODIAL INTERFERENCE; CLASSIFICATION 1/11 referred to Senate pub-hu ser.

FYI

Posted Calendars and Committee Hearings

No hearings, calendars, or amendments posted.

Bill Summaries

S1115: JLBC; JCCR; REPORTS

Eliminates requirements for various state agencies, commissions and districts to submit various reports to the Joint Legislative Budget Committee or to obtain JLBC approval for certain expenditures. Also modifies deadlines for various agencies and commissions to submit information to JLBC, and makes various reports to JLBC due annually instead of quarterly or semiannually. The Joint Committee on Capital Review no longer approves rental rates for agencies occupying state owned buildings.

First sponsor: Sen. Biggs

General Comments (all lists):

Per ACJC: changes the rico reporting to annually;FYI only; no position

S1115 Daily History	Date	Action
JLBC; JCCR; REPORTS 1/13 referred to Senate appro.		

EORP

Posted Calendars and Committee Hearings

No hearings, calendars, or amendments posted.

Bill Summaries

H2198: RETIREMENT; EORP; PLAN DESIGN

A person who becomes an elected official after the effective date of this act is eligible for normal retirement benefits only upon attainment of 65 (with 5 or more years of credited service) or 62 (with a minimum 10 years of credited service). Formerly, members of the Elected Officials Retirement Plan were also eligible for retirement benefits at any age with 20 or more years of credited service. Also, beginning in fiscal 2011-12, the member's contribution percentage (currently 7%) is increased one percent per year until fiscal 2014-15 when the contribution percentage is 11% of the member's salary. The employer's contribution is unaffected by this change. Also changes in definitions and formulas used to calculate annual benefit increases.

First sponsor: Rep. Robson

H2198 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		